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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/918,722

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Charlton E. Lui

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06/30/2006

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EXAMINER

NGUYEN, CHAU T

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 06/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/918,722

Applicant(s)

LUI ET AL.

Examiner

Chau Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 5-13, 15, 23-25 and 28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5-12 and 23-25 is/are allowed.
- 6) ☒ Claim(s) 13, 15 and 28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05/30/2006 has been entered. Claims 5-13, 15, 23-25 and 28 are pending. Claims 1-4, 14, 16-22, and 26-27 are canceled without prejudice.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 13, 15 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okawa et al. (Okawa), Patent No. 6,397,233 and further in view of Cohn, US Patent No. 5,712,995.

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4. As to claims 13, and 15, Okawa discloses a method for editing an electronic document containing text and drawings, comprising the steps of:

receiving a request to modify a line height of said text (Abstract, and col. 6, lines 28-63 and col. 8, lines 22-41 and Figs. 5A and 5B);

rescaling said text in proportion to said modified line height (Abstract, and col. 6, lines 28-63 and col. 8, lines 22-41 and Figs. 5A and 5B); and

rescaling said drawing responsive to said request to modify said line height (Abstract, and col. 6, lines 28-63 and col. 8, lines 22-41 and Figs. 5A and 5B).

However, Okawa does not explicitly disclose determining whether the rescaled drawings overlap one another and if said rescaled drawings are determined to overlap one another, repositioning one or more of said drawings to avoid said overlap. Cohn discloses the system automatically resizes or reposition neighboring windows (images) to avoiding overlapping of windows (images) (Cohn, col. 2, lines 37-54). Also, it should be understood that the "determining whether the rescaled drawings overlap one another" is inherent from step of resizing or repositioning images above. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Cohn and Okawa to include determining whether the rescaled drawings overlap one another and if said rescaled drawings are determined to overlap one another, repositioning one or more of said drawings to avoid said overlap to enhance display windows (images) and provide better view for users.

5. As to claim 28, Okawa and Cohn disclose wherein the request to modify the line height is a request to increase the line height (Okawa, Abstract, and col. 6, lines 28-63 and col. 8, lines 22-48 and Figs. 5A-5B and 6A-6B).

#### **Allowable Subject Matter**

6. Claims 5-12 and 23-25 are allowed as discussed during the telephonic interview of May 5, 2006.

#### **Response to Arguments**

In the remarks, applicant(s) argued in substance that

A) Cohn does not teach or suggest determining whether the rescaled drawings overlap one another, and if the rescaled drawings are determined to overlap one another, repositioning one or more of the drawings to avoid the overlap. (see page 7 of the remark)

In reply to argument A, Cohn discloses the system automatically resizes or reposition neighboring windows (images) to avoiding overlapping of windows (images) (Cohn, col. 2, lines 37-54). Also, it should be understood that the "determining whether the rescaled drawings overlap one another" is inherent from step of resizing or repositioning images above. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Cohn and

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Okawa to include determining whether the rescaled drawings overlap one another and if said rescaled drawings are determined to overlap one another, repositioning one or more of said drawings to avoid said overlap to enhance display windows (images) and provide better view for users.

7. Applicant's arguments filed 05/30/2006 have been fully considered but they are not persuasive. Please see the rejection and response to arguments above.

**Conclusion**


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau Nguyen whose telephone number is (571) 272-4092. The Examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Heather Herndon, can be reached at (571) 272-4136.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. On July 15, 2005, the Central Facsimile (FAX) Number will change from 703-872-9306 to 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chau Nguyen  
Patent Examiner  
Art Unit 2176

  
**WILLIAM BASHORE**  
**PRIMARY EXAMINER**